IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 23675 of 1997

Between:

Syed Hafeezullah, S/o Syed Rahamatullah

R/o Hyderabad.

..... PETITIONER

AND

1. Deputy Transport Commissioner & Secretary,

Regional Transport Authority, (Registering Authority)

Hyderabad Central.

2. Motor Vehicles Inspector (Special Grade)

Sangareddy at Medak.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of certiorari and call for the entire records in demand notice Memo No.3286/D2/Ho/97, dated 15-05-1997 from the file of the Joint Transport

Commissioner and Secretary, Regional Transport Authority, Hyderabad, and quash the demand for payment of Rs.88,050/- purporting to be the balance tax payable for the q.e.31-03-1997, on the petitioner's contract carriage bus AP9U/39 as arbitrary, malafide, illegal and without jurisdiction.

Counsel for the Petitioner:MR.K.N.JWALA

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned counsel for the parties.

The order impugned in this writ petition, dated 15-05-1997, needs a reconsideration in view of the law laid down subsequently by a Larger Bench judgment of this Court reported in ***L.Royal Reddy and others Vs. Government of A.P..***

With the consent of the parties, we dispose of the matter, setting aside the order dated 15-05-1997 and directing the licensing authority to pass appropriate orders after hearing the parties and taking into consideration the judgment of this Court in ***L.Royal Reddy's case (supra)***. No order as to costs.

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(BILAL NAZKI, J)

28th September, 2004.

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(S.ANANDA REDDY, J)

vrn

To

1. Deputy Transport Commissioner & Secretary,

Regional Transport Authority, (Registering Authority)

Hyderabad Central.

2. Motor Vehicles Inspector (Special Grade)

Sangareddy at Medak.

3 Two C.Cs to the Government Pleader for Transport,

High Court of A.P., Hyderabad (OUT)

4 Two C.D copies